

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES OF THE CITY OF SANTA ROSA
CONSENTING TO RELIEF FROM BID FOR PIAZZA CONSTRUCTION OF PENNGROVE,
CA, DUE TO MISTAKE AND AWARDED CONTRACT NO. C002284 TO PACIFIC
INFRASTRUCTURE CORPORATION OF PLEASANTON, CA, FOR WEST COLLEGE
STORAGE FACILITY PUMPING IMPROVEMENTS WITH APPROVAL OF 15% PROJECT
CONTINGENCY

WHEREAS, bids have been invited for the performance of work for the City of Santa Rosa, generally described as West College Storage Facility Pumping Improvements, Contract No. C02284; and

WHEREAS, bids were received and opened in accordance with law and the City Engineer has reported thereon; and

WHEREAS, the lowest bidder, Piazza Construction of Penngrove, CA, within five (5) working days of bid opening, submitted its written request to be relieved of their bid due to a mistake in their bid; and

WHEREAS, Section 2-1.47 (Bid Relief) of the City's bid documents, which utilize Department of Transportation Standard Specification 2010, provides that the City may grant bid relief to a low bidder under California Public Contract Code (PCC) Section 5100 *et seq.*; and

WHEREAS, section 5101 of the PCC allows the City to consent to bid relief in the event of a mistake; and

WHEREAS, section 5103 of the PCC provides that in order to be relieved of a bid, the Contractor must establish i) a mistake was made, ii) the mistake made the bid materially different than it was intended to be, iii) written notice for relief is provided within five working days after bid opening, and iv) the mistake was made in filling out the bid and was not due to an error in judgment or carelessness in inspecting the site of the work or in reading the plans or specifications; and

WHEREAS, the Board of Public Utilities has considered the report of the City Engineer and has concluded that Piazza Construction of Penngrove, CA, made a mistake regarding the price for one generator versus two, as required for the project, that the bid would have been materially different had the mistake not been made and that the mistake was not due to carelessness in inspection of the work site or plans and specifications; and

WHEREAS, the bid of Pacific Infrastructure Corporation of Pleasanton, CA, was the second lowest responsive bid received by the City.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities consents to the lowest bidder Piazza Construction of Penngrove, CA being relieved of their bid due to a mistake.

BE IT FURTHER RESOLVED that the Board of Public Utilities approves the project West College Storage Facility Pumping Improvements, Contract No. C02284.

BE IT FURTHER RESOLVED that the Board of Public Utilities awards Construction Contract No. C02284 to Pacific Infrastructure Corporation of Pleasanton, CA, in the amount of \$966,481.00 and for performance in accordance with plans and specifications on file in the Office of the City Engineer.

BE IT FURTHER RESOLVED that the Board of Public Utilities authorizes and directs the Chair to execute the contract and the Finance Director to pay all proper claims for performance of the contract out of Account No. 86620, "West College Storage Facility Pumping Improvements".

BE IT FURTHER RESOLVED that in accordance with City Council Policy No. 100-07, "Authorization of Contract Change Orders on Public Works Contracts," the Board of Public Utilities approves a total authorized contract amount of \$1,111,453.15, which includes the original contract amount of \$966,481.00 plus a 15% project contingency.

DULY AND REGULARLY ADOPTED by the City of Santa Rosa Board of Public Utilities this 20th day of January, 2022.

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
Daniel J. Galvin III, Chair

ATTEST: _____
Roberta Atha, Recording Secretary

APPROVED AS TO FORM:

City Attorney